

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

JOHN R. GRANO, JR.)	
)	
and)	
)	
CYNTHIA TAFT GRANO,)	
)	
Plaintiffs,)	
v.)	Case No. 3:20CV0065
)	
RAPPAHANNOCK ELECTRIC COOPERATIVE,)	
)	
Defendant.)	

MOTION TO DISMISS

Defendant, Rappahannock Electric Cooperative (“REC”), by counsel, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, hereby moves to dismiss the Complaint filed by John R. Grano, Jr. and Cynthia Taft Grano for lack of subject matter jurisdiction and/or for failure to state a claim upon which relief can be granted. The grounds for REC’s motion are set forth more fully in the supporting brief filed contemporaneously herewith.

WHEREFORE, REC respectfully requests that the Court dismiss the Complaint with prejudice and grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

Dated: January 12, 2021

RAPPAHANNOCK ELECTRIC COOPERATIVE

By: /s/ Andrew P. Sherrod
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CERTIFICATE OF SERVICE

I hereby certify that, on January 12, 2021, I electronically filed the foregoing with the Clerk of Court using the Court's CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record for the parties.

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